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Fifty-fifth session

SUMMARY RECORD OF THE 7th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 30 March 1999, at 10 a.m.

Chairperson: Ms. ANDERSON (Ireland)

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GE.99-11811 (E)

The meeting was called to order at 10 a.m.

ORGANIZATION OF THE WORK OF THE SESSION (agenda item 3) (continued) (E/CN.4/1999/2 and 109; E/CN.4/1998/CRP.4)

1. Mr. ALFONSO MARTÍNEZ (Cuba), referring to agenda item 20 (Rationalization of the work of the Commission), said he regretted that documents E/CN.4/1999/120 and E/CN.4/1999/124, which reflected the position of a number of countries, had only been issued in English and had not been translated into the other working languages. In addition, he requested the secretariat to make available to the Commission Mr. Selebi's closing speech at the fifty-fourth session, since it had some bearing on the Commission's methods of work, and the General Assembly resolution establishing the mandate of the High Commissioner for Human Rights.

2. Mr. AGUILAR URBINA (Secretary of the Commission) explained that, in order to ensure timely translation into the working languages, a document had to be submitted 10 weeks prior to the date of the meeting. Moreover, texts annexed to letters from Governments, such as the documents referred to, were normally left in the original language. It was for the Commission to decide whether it wished to change that practice. Nevertheless, the secretariat would provide the Commission with the two texts requested by the representative of Cuba.

3. Mr. PÉREZ-HERNÁNDEZ Y TORRA (Observer for Spain) said that the translation into Spanish of the two documents in question was a matter of high priority.

4. Mr. ALFONSO MARTÍNEZ (Cuba) said that his delegation reserved the right to return to the issue of translation of significant documents into all the working languages.

RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND ALL FORMS OF DISCRIMINATION (agenda item 6) (continued) (E/CN.4/1999/12, 15 and Add.1 and 17; E/CN.4/1999/NGO/4-6 and 60)

5. Mr. HÖYNCK (Germany) speaking on behalf of the European Union, the central and eastern European countries associated with the Union, and Cyprus, said that manifestations of racism and xenophobia occurred in all regions of the world, including Europe. It was the responsibility of States to guarantee the human rights of all persons residing in their territory and protect them against all forms of discrimination. The fulfilment of their international obligations was an important step in that direction, but they also had to raise awareness and promote education with a view to combating racist attitudes. Civil society and non-governmental organizations (NGOs) also had a role to play in that regard.

6. The United Nations had been the first international forum to address the problem of racial discrimination in a comprehensive manner. The International Convention on the Elimination of All Forms of Racial Discrimination, adopted more than 30 years previously, had been ratified by 150 States. Universal ratification should be one of the goals of the World Conference against Racism and Racial Discrimination, Xenophobia and Related Intolerance. The European

Union fully supported the work of the Committee on the Elimination of Racial Discrimination, which had been entrusted with monitoring the application of the Convention. It called on all countries whose reports to the Committee were long overdue, in particular their initial reports, to honour their commitments under article 9 of the Convention without further delay. The European Union also supported the work of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance. Finally, it endorsed the objectives of the Third Decade to Combat Racism and Racial Discrimination, reiterated its support for the High Commissioner for Human Rights in her capacity as coordinator for the Decade, and favoured the idea of establishing a racism project team in the Office of the High Commissioner.

7. The preparations for the World Conference were just as important as the Conference itself. To have the maximum impact, both the preparatory process and the World Conference should be action-oriented, forward-looking, and focus on achievable goals. NGO participation was essential. In Europe, the preparatory process for the World Conference was being directed by the Council of Europe, building on the important work already undertaken, inter alia, by its Commission against Racism and Intolerance. In February, an initial meeting of experts of the States members of the Council of Europe had launched preparations for a European conference scheduled for autumn 2000. NGOs would play an active part in the European preparations for the World Conference. The interaction between regional preparatory processes would be extremely enriching.

8. The European Union was aware of the need to combat racism and xenophobia affecting both European citizens and foreigners living in European countries; member States had thus devised relevant policies at national and community level. The Amsterdam Treaty would enhance the Union's competence in all areas of activity, including the fight against racism and police and judicial cooperation. The mobilization of Governments and NGOs during the European Year against Racism in 1997 had yielded specific results, the most obvious being the establishment in Vienna of a European Monitoring Centre on Racism and Xenophobia. Furthermore, pursuant to the Year against Racism, in 1998 the European Commission had drawn up a comprehensive plan of action for combating racism across the European Union.

9. The roots and causes of racism, xenophobia and intolerance were many and varied. They could be found in collective and individual feelings of fear and frustration, ignorance, and social upheavals which undermined the certainties of the past and people's sense of identity. Another cause was the weakening of values, traditions and institutions which in the past had ensured social cohesion; such factors were sometimes exploited by unscrupulous groups or individuals for political ends. Solutions had to be tailor-made for differing circumstances while at the same time remaining all-encompassing with regard to causes. They had to be local and global, immediate and persistent. It was a challenge that necessitated joint action by all the parties involved.

10. Mr. ZAKI (Pakistan) said that the principles of equality and brotherhood were enshrined in Pakistan's Constitution and that Pakistan had been one of the first countries to sign and ratify the International Convention on the Elimination of All Forms of Racial Discrimination. Pakistan had consistently

supported peoples fighting all forms of racial discrimination, and had also been in the vanguard of South Africa's struggle against apartheid.

11. Although the dismantling of the system of apartheid in South Africa had encouraged the hope that policies based on the theory of racial superiority and hatred were on the wane, new forms of racism and racial discrimination had emerged such as xenophobia and the persecution of minorities, ethnic groups, migrant workers and refugees. Millions of people were currently victims of discrimination based on colour, race, ethnicity, caste or creed. Racial discrimination and ethnic cleansing jeopardized friendly relations between peoples.

12. In many countries, migrants who had become stateless, classless individuals marginalized from political and social life were especially prone to racist attacks. Yet such attacks had received scant attention from the international community. As the High Commissioner for Human Rights had remarked, discrimination against Albanians lay at the root of the current conflict in Kosovo. Such policies of racial superiority and hatred demanded a forceful response from the international community. Also of concern were the various forms of discrimination practised against Muslim minorities in several countries and attacks on them by racist and fascist groups. The new manifestations of racism and racial discrimination were often attributed to economic misery. Yet surely the international community had a duty to take action to control rampant market forces and protect the fragile economies of developing countries.

13. The World Conference against Racism would provide another opportunity to consider the measures that would be required to eliminate all forms of racism. It should provide the occasion for a strongly worded declaration and reflect a serious pledge by the international community to translate the goal of eliminating racial discrimination into reality.

14. Mr. CHOWDHURY (Bangladesh) said that although the darkest chapter of institutionalized racism had passed into history with the end of apartheid, new forms of racial discrimination against minorities and foreigners had emerged. The policy of ethnic cleansing in the Balkans and the barbaric acts being perpetrated by war criminals against Albanians in Kosovo should be emphatically condemned.

15. Bangladesh was a signatory to the International Convention on the Elimination of All Forms of Racial Discrimination and it urged universal adherence to that instrument. At the same time, mere declarations of good intentions and commitments were not enough. What was required was effective enforcement of relevant legislation and the development of education and awareness about racism. Age-old prejudices and false notions of the supremacy of one race over another needed to be challenged. To that end, academic curricula should be revised to promote the principles of non-discrimination, tolerance and respect for diversity, and sporting or artistic exchanges should be encouraged in order to facilitate comprehension between different cultures. NGOs also had a role to play in sensitizing public opinion to incidents of racism and promoting tolerance and comprehension through awareness campaigns.

16. Bangladesh welcomed the decision of the General Assembly to follow up the proclamation of the year 2000 as the International Year for the Culture of Peace with an International Decade for a Culture of Peace and Non-Violence for the Children of the World (2001-2010). The following year, 2001, had been designated the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the Year of Dialogue between Civilizations. Such events would no doubt strengthen the determination of States and the international community to eliminate all forms of racism and racial discrimination.

17. The report of the Special Rapporteur on contemporary forms of racism, racial discrimination and xenophobia and related intolerance (E/CN.4/1999/15) regarding neo-fascism, neo-nazism and ethnonationalism made alarming reading. The use of the Internet to spread racist propaganda worldwide was also a matter of great concern. Bangladesh therefore favoured the establishment of an intergovernmental working group that would draft guidelines for the ethical use of the Internet and the possible formulation of a code of conduct for Internet users and service providers.

18. Bangladesh believed that the World Conference against Racism should be held no later than 2001 and that the preparations for the Conference should focus on the plight of migrants, who were particularly at risk from discrimination. NGOs should also be encouraged to contribute to the preparatory process and the Conference itself.

19. Mr. GOPINATHAN (India) said that several years after the eradication of apartheid, racism remained a root cause of discrimination in all fields of human interaction. In a number of societies, it was a major cause of instability. Racism was taking increasingly violent forms including physical aggression and the murder of individuals belonging to ethnic, racial or religious minorities. At the same time, national legislation relating to the right of asylum and the free movement of persons was increasingly characterized by xenophobia, and in many parts of the world legislation criminalizing racial discrimination was inadequately enforced. The international media regularly reported incidents demonstrating the extent to which racist ideologies had spread to all areas of life. Social and political groups which advocated ideas based on racial superiority continued to thrive unhindered and electronic media such as the Internet were being misused to propagate racial intolerance.

20. In order to tackle the complex phenomenon of racism, the problem itself needed to be acknowledged and remedial measures had to be taken at all levels, local, national and international. Regrettably, within the United Nations system the issue of racism had not received the priority attention which it deserved. The Programme of Action of the Third Decade to Combat Racism and Racial Discrimination had been improperly implemented owing to insufficient resources; the request made by the General Assembly and the Commission on Human Rights to establish a focal point on racism in the Office of the High Commissioner for Human Rights had yet to be fulfilled. Moreover, attempts to confuse racism with other aspects of discrimination had meant that attention had been diverted from racial discrimination itself.

21. India hoped that the World Conference against Racism would lead to further debate and enable effective solutions to be found at national and international level. Preparation for the Conference was therefore essential. A number of important proposals had been made by members of the Commission and NGOs. It was vital to ensure that representatives of civil society, and especially victims of racism, should be able to contribute to the preparatory process.

22. The time was ripe for the international community to take effective action to put a stop to racism. The World Conference should be a vehicle for reaffirming its determination in that respect; it should also provide an opportunity to adopt informed decisions on specific measures and follow-up actions, particularly in those parts of the world where racism continued to flourish.

23. Mr. NENE (South Africa) commended the United Nations on its decision to hold a World Conference on such a sensitive subject as racism and xenophobia and assured it of South Africa's active participation. The South Africans, who had long been subjected to racial discrimination and segregation, knew from experience that a policy of racial oppression could only be a recipe for disaster and economic ruin. The Reconstruction and Development Programme currently under way in South Africa was one of the approaches adopted by the Government to redress the legacy of past regimes. The preamble to the South African Constitution reaffirmed South Africa's determination to heal the divisions of the past and to establish a society based on democratic values, social justice and fundamental human rights.

24. It was clear, however, that a World Conference alone could not be expected to solve all existing problems of racism worldwide. It was also incumbent on all Governments to adopt appropriate legislation, launch education campaigns and take effective practical action to counter racism. In that regard, the South African delegation supported the seven objectives established by the working group as a basis for the work of the preparatory meetings for the Conference. However, as little time remained for proper preparations, it appealed to the Secretary-General to ensure that adequate resources from the regular budget were made available for the purpose and also for follow-up to the World Conference. Furthermore, it strongly supported the elaboration of national and regional plans of action to address the scourge of racism in all its forms, including the use of the Internet to promote hatred and racist propaganda, and the adoption of coordinated initiatives to encourage active participation by NGOs and civil society in the process. The World Conference should not, however, be an end in itself. It should provide all countries with guidelines on short-, medium- and long-term action to eradicate racism at the local, regional, national and international levels. An intensive campaign should be mounted to that end.

25. South Africa had ratified the International Convention on the Elimination of All Forms of Racial Discrimination on 10 December 1998. In fulfilling its obligations as a State party, it was giving particular attention to articles 2 and 7 of the Convention dealing with legislative and other measures to be adopted in order to combat racial prejudice. Since the advent of democracy in South Africa, however, inter-State relations in southern Africa had taken on a new dimension, as a result of which

South Africa was having to grapple for the first time with a massive influx of asylum-seekers and migrants, both documented and undocumented, which had led to an increase in xenophobia. The South African Government shared the concerns expressed by the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance in his report on his visit to South Africa (E/CN.4/1999/15/Add.1). Such manifestations of xenophobia were inconsistent with the basic tenets of the South African Constitution and Bill of Rights.

26. While continuing its action against factors that encouraged manifestations of xenophobia such as poverty, unemployment, crime and corruption, the South African Government had devised a strategy to counter the phenomenon. For example, the South African Human Rights Commission, with the assistance of the Office of the United Nations High Commissioner for Refugees, had held a series of consultative conferences culminating in October 1998 in the Braamfontein Statement, which condemned manifestations of xenophobia as a violation of human rights. The Statement had been followed by a National Plan of Action providing for nationwide public awareness and education campaigns to tackle xenophobia and focusing on the appropriate application of legislation and international instruments of relevance to non-nationals, and on the development of codes of conduct and training modules for immigration and law enforcement officials. In addition, specific measures to protect groups such as migrant workers, refugees and asylum-seekers were contemplated.

27. In conclusion, the South African delegation urged the international community and NGOs to do everything in their power to ensure the success of the World Conference against Racism, the outcome of which would be measured not in terms of the volume of documents produced but in terms of the concrete follow-up action taken by States.

28. Mr. PADILLA MENÉNDEZ (Guatemala), speaking also on behalf of the Latin American and Caribbean Group, joined previous speakers in calling for an increase in the financial and human resources available to the Special Rapporteur on contemporary forms of racism for the effective fulfilment of his mandate, given the persistence of such problems worldwide and, in particular, the spread of racist ideology.

29. The Latin American and Caribbean Group attached great importance to the working group to review and formulate proposals for the World Conference against Racism. It considered that the group should initially focus on questions of procedure and establish broad guidelines for the future, though without overlooking matters of substance. Like other recent world conferences, the Conference should produce a declaration, a programme of action and a follow-up mechanism and make specific recommendations for action deemed necessary at the national, regional and international levels. In that connection, the Latin American and Caribbean Group considered that the following questions deserved special attention during the preparatory proceedings and the Conference itself: assessment of progress in the fight against racism and factors conducive to racism and of the appropriateness of adopting new standards to counter racial discrimination; the recommendations of the Committee on the Elimination of Racial Discrimination on ways of improving implementation of the International Convention of the same name; ways of promoting tolerance through education and the media; relations between

globalization and racial equality and between racial discrimination and population movements; and monitoring of traditional and modern media, including the Internet, to bring about a balance between freedom of expression and the fight against racism.

30. The Latin American and Caribbean Group hoped that adequate funds from the regular budget would be made available to finance the World Conference and to allow for the participation of NGOs whose action against racism and racial discrimination was a useful adjunct to that of Governments. Given his familiarity with the subject, the Special Rapporteur should also be able to attend all the preparatory meetings for the Conference.

31. The Latin American and Caribbean Group was prepared to take resolute steps to ensure that the preparatory proceedings and the Conference itself produced not just statements and pledges but practical results in terms of effective enjoyment of human rights by all.

32. Mr. YU Wenzhe (China) said that, notwithstanding the international community's unremitting struggle through the United Nations to counter racism and racial discrimination, and notwithstanding the eradication of apartheid, racial discrimination still existed and xenophobia, neo-fascism and neo-Nazism were developing apace in many countries.

33. The World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance to be held in 2001 was therefore a significant event. The Chinese delegation considered that the international community should pay special attention at the Conference to new forms of racism. All relevant United Nations bodies should study such phenomena and prepare reports for the Conference on obstacles impeding action against them. In the context of the Conference, the United Nations should make a special effort to ensure that the Third Decade to Combat Racism and Racial Discrimination produced practical results. Countries should be urged in the same context to adopt political, economic, legal and educational measures to remove the causes of new forms of racism and to tackle related problems in their own territory.

34. Lastly, the United Nations and its competent bodies, especially the Commission on Human Rights, should place preparatory work for the Conference at the top of their agenda and channel all necessary resources and effort into the task. As the preparatory body for the Conference, the Commission on Human Rights had an arduous but glorious task to perform. The Chinese delegation was prepared to assist it in working for the success of the World Conference and in unremitting efforts to ensure that the twenty-first century was free from racism and racial discrimination.

35. Mr. SOMOL (Czech Republic) said that his delegation aligned itself with the statement made by Germany on behalf of the European Union. His country faced similar problems in its struggle to overcome racism, racial discrimination, xenophobia and related forms of intolerance, particularly against the Roma minority: specific cases were mentioned in the Special Rapporteur's report (E/CN.4/1999/15). Successive Czech Governments since 1993 had recognized the problem to be serious and had introduced various measures to deal with unlawful activities on the part of individuals and groups. The Criminal Code had been amended to allow for more severe sentences for racially

motivated crimes. Other measures included an amendment to the employment law, limiting discrimination in access to employment; the creation of the post of Government Commissioner for Human Rights, one of whose tasks was to coordinate anti-racist policies in relation to the relevant government authorities; and the establishment of a Council for Human Rights, which included representatives of civil society. NGOs also played a growing role in Czech society and had increasingly become important partners for the Government. Lastly, the Government had allocated 10 million Czech crowns for a nationwide anti-racist campaign. Systematic and long-term prevention must be a primary element in efforts to eliminate manifestations of racism. That involved promoting human rights education at schools of all levels and in the mass media. In the future, attention should also be focused on indirect, hidden or even unintentional discrimination.

36. His delegation was confident that the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance would have a positive impact if it was practically orientated and if it integrated not only the experience of various Governments but also that of NGOs.

37. Ms. ARRANAGA (United States of America) said that the issue of racism, racial discrimination, xenophobia and related intolerance was of great importance for her country, given its history and its long struggle to eliminate slavery and establish a solid legal system under which the civil rights of all Americans, irrespective of race, religion or ethnic origin, were protected and maintained. It was well known, however, that racial, religious and ethnic prejudice was deeply embedded in every culture, at its worst fuelling hatreds that could turn friends and neighbours into enemies and murderers, as in Bosnia, Kosovo, Rwanda, Chechnya, Afghanistan, Somalia and the Sudan. Even in the most peaceful regions of the world the complete elimination of prejudice was difficult.

38. She knew from personal experience, both because as a child she had herself been a victim of hate and prejudice due to her ethnic origin and because she was currently head of the Hate Crimes Suppression Unit of the District Attorney's Office in Los Angeles County, which was home to almost 10 million people and an incredible array of ethnic, national, religious and linguistic groups. Her unit had been created following community disturbances five years earlier. A series of community summits had been organized, enabling various groups to realize that many of their negative perceptions had been based on stereotypes and false assumptions about each other. Training programmes in cultural and racial sensitivity had been introduced for the police; and a network of state and federal law enforcement agencies, community groups, educational institutions and religious groups had been set up to develop preventive strategies against hate crimes. The District Attorney's Office had initiated a series of round-table discussions with local minority groups on ways to reduce racial tensions and promote reconciliation. In addition, to prevent prejudice from forming, a team of volunteers had been assembled to go into schools and talk about contemporary problems, including hate crimes. A new system had been adopted to process hate crime reports quickly, to provide the victims with immediate assistance, in conjunction with the Los Angeles County Human Relations Commission, and to prosecute the

perpetrators when preventive efforts failed. As a result, the number of hate crimes had decreased substantially in Los Angeles County. Other states had adopted similar policies.

39. At both state and federal level there were criminal and civil laws banning discrimination on the basis of race, religion, national origin, age, disability and gender. Note should also be taken of President Clinton's Initiative on Race, launched in 1997, which brought community leaders and ordinary citizens together throughout the country to discuss racial questions in open and public fashion. It was clear from programmes set up in connection with the Initiative that educating the American people was the key to combating racism. Another outgrowth of the Initiative had been the collaboration between state and federal programmes to reduce hate crimes. For example, her office had received a grant from the Department of Justice to develop a programme aimed at replacing incarceration for minors committing hate crimes with education, tolerance training and community service.

40. Her delegation hoped that the forthcoming World Conference would enable all countries to share their experiences in combating all forms of racism and intolerance. The Conference should draw on ideas from around the globe on ways of developing solutions to the problem, for no country had a monopoly on good ideas. Her delegation, which had actively participated in the discussions of the open-ended working group, looked forward to working with other nations, regional groups and NGOs in preparing for the Conference. Racism and all the many forms of prejudice it involved could be defeated, if all countries worked together to do so.

41. Mr. FARCAS (Romania) said that, while the complete elimination of discrimination was largely the responsibility of States, it remained nonetheless an important objective for the international community. The definition of discrimination used in the International Convention on the Elimination of All Forms of Racial Discrimination, adopted in 1965, had subsequently been clarified and expanded by the United Nations treaty bodies, which had set in motion new methods of strengthening their activities, particularly with regard to emergency procedures and field missions. They also reviewed the situation of countries which did not submit reports and the situation of various racial, ethnic, linguistic and religious groups, as well as that of foreigners and emigrants around the world. His delegation welcomed such developments and believed that better coordination of work between the various bodies would make their overall activities even more effective.

42. The fact was that intolerance and xenophobia were gaining ground throughout the world. Most States were aware of the phenomenon and adopted measures to repress its most blatant forms; but it was generally acknowledged that racial discrimination was a societal problem that could not be dealt with by the courts or punishment alone. In those circumstances, the solution lay in educating people to respect difference and multiculturalism. National and international NGOs had a growing role to play, both in that regard and in monitoring State activities. The role of the information media went without saying. Both journalists and Governments should develop ways of dealing with racist messages and incitement to discrimination and intolerance, so that one person's freedom of expression did not impinge on another person's dignity. The World Conference ought to have a real impact on the situation by raising

The World Conference ought to have a real impact on the situation by raising general awareness of the seriousness of racial discrimination and the need to work on both its effects and its causes. It should also help the relevant international bodies to function more effectively and encourage greater cooperation between those bodies and States Members of the United Nations.

43. His Government constantly strove to prevent and combat all forms of racial discrimination. It had adopted measures aimed at young people and law enforcers, among others. The many national NGOs had developed and diversified their programmes to raise awareness of international standards and practices.

44. Mrs. HEGGE (Norway) welcomed the holding of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, which should make a valuable contribution to addressing those issues at the international and regional levels as well as at the national level. Her Government had decided to give priority to measures to ensure that everyone, regardless of background, had an equal opportunity to take part in the life of society. It had submitted an action plan for 1998-2001 to prevent racism and discrimination. In early 1999, a centre for the prevention of ethnic discrimination had been opened in Oslo to help monitor developments in that field and to provide legal aid to persons exposed to discrimination. The centre would prepare annual reports and propose measures to prevent ethnic discrimination in society. One of the foremost tasks of Norwegian educational institutions was to promote equal opportunities for all and to combat discriminatory attitudes. That goal was clearly reflected in the school curricula. Among the challenges to Norwegian society was the fact that the unemployment rate among immigrants was considerably higher than the rate for the rest of the population. It was of crucial importance to her Government to give international protection to those in need, particularly to children.

45. In order to have maximum impact, the preparations for the World Conference must be action-oriented, constructive, conclusive and as inclusive as possible. The Council of Europe, assisted by the European Commission against Racism and Intolerance, was coordinating the preparatory work for the European conference on racism, racial discrimination, xenophobia and intolerance, which would take place in the autumn of 2000 with a view to formulating recommendations that could provide constructive input for the World Conference. The Organization for Security and Cooperation in Europe (OSCE) was also active in pursuing tolerance and non-discrimination in Europe. The Office for Democratic Institutions and Human Rights should continue its cooperation with member countries to assist them in adopting legislation that countered aggressive nationalism, racism, chauvinism and xenophobia. In 1992, OSCE had established the post of high commissioner for national minorities in order to provide early warning of ethnic tensions in the OSCE region.

46. In conclusion, she said that children and young people were particularly vulnerable to racism and racial discrimination. At an age when their personality was being formed and their sense of their own identity being established, the denial of the possibility of individual development was particularly devastating. The environment and the values necessary to improve their future should be provided for children.

47. Mr. KARIYAWASAM (Sri Lanka) said that individual and collective failures to realize the noble principles enshrined in international human rights instruments made it necessary to continue the fight against racism and racial discrimination.

48. Like the rest of the world, Sri Lanka, which took pride in its multi-ethnic, multicultural society in which human rights and fundamental freedoms were guaranteed under the Constitution, must guard against extremist groups that preached ethnic exclusivity and racial segregation and were ready to do anything to achieve their objectives. The World Conference must, in his delegation's view, unequivocally condemn terrorism and violence as a means to propagate ideologies based on racism. Abuse of the Internet for such purposes was a matter of grave concern and consideration of that problem should be prominent on the Conference's agenda. While he welcomed the documentation on the efforts to convene the Conference, particularly the report of the High Commissioner for Human Rights (E/CN.4/1999/12), he regretted the fact that it had not been made available earlier. The complexity of the subject made it necessary to refine ideas on both procedure and substance in connection with the Conference. For his delegation, it was essential to ensure universal participation in the Conference, without which its purpose would be defeated.

49. It was also necessary to take into account the evolution of the phenomenon of racism. Racism should, in theory, disappear with the globalization of societies and the integration of economies. Yet even in the so-called advanced societies, transnational migration and the search for social and economic emancipation strained social values and ethics built up against racism. The global village and the information revolution appeared to beget new trends and more subtle methods of racial discrimination. Those new trends required close scrutiny and careful delineation of the causes and effects before recommendations were elaborated for submission to the World Conference. Global interdependence also required societies to adjust their societal values in order to promote unity and diversity. The Commission had adopted many recommendations that could serve as a basis for universal consensus at the World Conference. It was necessary to focus on those recommendations and methods that would promote multiculturalism in societies. The opinions of experts in the field of human rights must also be solicited, collected and synthesized in such a manner as to promote global consensus.

50. His delegation was anxious to take part in the efforts to ensure a successful World Conference with the elaboration of universally accepted norms and believed that it was up to the United Nations to abolish the menace of racism in the next millennium.

51. Mr. JANSANS (Latvia) said that Latvia attached great importance to the elimination of racial discrimination and xenophobia both at the domestic level and internationally. The report of the High Commissioner and the report on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (E/CN.4/1999/15) prepared by the Special Rapporteur, Mr. Glélé-Ahanhanzo, had rightly emphasized police violence, anti-Semitism and discrimination against blacks and others. Those reports must set the context for the preparations of the World Conference. The Special Rapporteur

had successfully overcome the tendency to inflate the issues of racism and xenophobia by bringing in problems that had nothing to do with those phenomena.

52. In 1998, Latvia had submitted its initial report on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination, which had assessed problems facing the country. The Latvian Government was fully aware that the country's prosperity and development depended on its ability to establish conditions that would sustain a balanced, multi-ethnic society, including the adoption of legislation.

53. For example, article 69 of the Criminal Code prohibited incitement to racial hatred. Legal proceedings had already been initiated under that article following the discovery of racially motivated graffiti on the wall of the synagogue in Riga. The Constitution adopted in late 1998 contained a section on human rights which provided that all persons in Latvia were equal under the law and that their human rights were to be exercised without any kind of discrimination.

54. His delegation believed that the topic of racism affecting migrants, refugees and asylum seekers should be properly addressed at the World Conference. It had acceded to the Convention relating to the Status of Refugees and to the relevant protocols and had incorporated them into domestic law. Eliminating racism was within the reach of the international community. To that end, international cooperation and bilateral measures such as the conclusion of readmission agreements must be reinforced and the application of existing international instruments must be improved.

55. Mrs. RUSTAM (Indonesia) said that her country shared the view that racism was not inborn but an acquired prejudice that fed on ignorance. It followed that education played a central role in the campaign against racism. Her delegation firmly believed that coordination between the various human rights bodies and UNESCO must be strengthened with a view to developing the necessary strategies in the fields of education, culture and information in order to address the root causes of all forms of racism. Indonesia also hoped that the suggestion that the year 2001 be proclaimed as the year of dialogue among civilizations would be taken up, and that that year would be a significant milestone on the way to strengthening peaceful coexistence, mutual understanding and tolerance among societies.

56. As a country of more than 200 million inhabitants from diverse ethnic backgrounds spread over more than 17,000 islands, Indonesia had to strive to maintain harmony for the sake of national unity by ensuring that its laws did not favour one group of citizens over another. Racism had never been an issue in Indonesia, but that could not be taken for granted in the face of the combined processes of political transformation and economic crisis. The riots of May 1998 had resulted in horrendous abuses, some of them with racist connotations. That tragedy had underlined the importance of maintaining harmony among races and ethnic and religious groups. The Indonesian Government had immediately taken steps to investigate the human rights violations that had been committed, provide assistance to the victims and, above all, prevent the repetition of such incidents. Measures had also been taken to improve protection for the various ethnic groups in Indonesia,

including those of Chinese origin. The Government was currently reviewing its legislation to ensure that all citizens were treated equally before the law in conformity with the principles set out in the Constitution. It had abolished the use of identifying codes on the identity cards of Chinese Indonesians. Presidential Decree No. 26/1998, issued on 7 September 1998, instructed all government officials to abolish the use of the words "pribumi", meaning indigenous Indonesians, and "non-pribumi", referring to Indonesians of foreign descent, and to provide equal treatment to all citizens without distinction as to race, ethnic origin or religion. The decree also envisaged the appointment of a team to review all laws and regulations with a view to ensuring their non-discriminatory nature. Finally, Parliament was soon to take a decision on ratification of the International Convention on the Elimination of All Forms of Racial Discrimination.

57. The Indonesian Government considered that the World Conference would be the proper forum for formulating concrete recommendations to increase the effectiveness of existing machinery used to combat racial discrimination and to adopt additional measures at the national, regional and international levels. With regard to international efforts, Indonesia favoured the promotion of dialogue, mutual understanding and tolerance as well as enhanced cooperation and participation as the first steps toward gradual realization of a global civil society in which racism, racial discrimination and xenophobia would become things of the past. A commitment in that direction would strengthen respect for the human rights of all individuals, and in particular, those of persons belonging to national, ethnic, religious and linguistic minorities.

58. Mr. ZAFERA (Madagascar) expressed his delegation's serious concern at the conclusions contained in the reports of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance (E/CN.4/1999/15) and of the High Commissioner for Human Rights (E/CN.4/1999/12) under agenda item 6. The conclusions made it clear that, despite the efforts undertaken, racism, racial discrimination, xenophobia and intolerance still persisted in subtle or violent forms and that efforts to combat those practices should therefore be intensified. The international community could not allow the destructive seeds of those evils - which, in some parts of the world, were accompanied by a rise in neo-fascism or neo-Nazism - to ripen. Some speakers had remarked upon the negative outcome of the previous two Decades to Combat Racism and Racial Discrimination and the lack of interest shown in executing the Programme of Action for the Third Decade, which, owing to scant financial resources, had given rise to only a very small number of activities since its beginning in 1993. The convening in 2001 of the World Conference on Racism and Racial Discrimination offered an excellent opportunity to recommend effective new measures at the national, regional and international levels to combat those phenomena, which constituted serious breaches of human rights. In the meantime, efforts should be made to mobilize funds for the United Nations and to strengthen the means employed to promote the ratification of international instruments and to sensitize public opinion. In anticipation of the conclusions of the Working Group set up to formulate proposals for the World Conference, his delegation fully supported the proposals contained in paragraphs 74, 77, 104 and 114-116 of the report of the High Commissioner, which ought to enable the Conference to recommend some effective measures.

59. Madagascar would continue, to the extent of its ability, to contribute towards the crusade against racism. It was to be recalled in that connection that his country had adopted a Constitution which not only prescribed the promotion and protection of human rights but also prohibited all discrimination on grounds of sex, level of education, origin, race, religious creed, opinion or wealth. The Malagasy Criminal Code also provided penalties for anyone who, on the ground of race, sex or opinion, denied a person the enjoyment of a right to which that person was entitled. The penalty was doubled if the perpetrator of the breach was a representative of public authority acting in the exercise of his or her duties.

60. Mr. CHELIA (Argentina) remarked that education, which was called upon to promote understanding, tolerance and friendship among all nations and all ethnic or religious groups, was one of the keys to the success of the struggle against discrimination.

61. In Argentina, the 1988 Act against discrimination was being fully implemented. Under that Act, the fact that an offence had been committed for reasons pertaining to race, religion or nationality constituted an aggravating circumstance. Furthermore, the National Institute against Discrimination, Xenophobia and Racism, which came under the Ministry of the Interior, had been entrusted with the elaboration of specific measures aimed at combating those practices. In conformity with its policy of combating discrimination, Argentina had in May 1998 extradited the former Captain Dinko Sakic and his wife to Croatia, where they were currently being tried for war crimes committed at the Jasenovac concentration camp during the Second World War. That decision confirmed Argentina's position that crimes against humanity committed on racist grounds should not remain unpunished.

62. His Government supported the holding of the World Conference against Racism and would contribute to the work of the inter-sessional working group set up to prepare the Conference.

63. Mr. IVANOV (Russian Federation) said that, although racism no longer formed part of the official doctrine of any country, it still existed in practice in new forms which called for the adoption of more effective techniques of combating it. His delegation, while sharing the concerns expressed by the Special Rapporteur in his report (E/CN.4/1999/15) regarding the rise in neo-fascism and neo-Nazism - inter alia, in certain European countries where a Day of ex-members of the SS was officially celebrated - regretted the Special Rapporteur's renewed failure to mention the situation in countries which persisted in refusing to submit reports to the Committee on the Elimination of Racial Discrimination. On the eve of the World Conference against Racism, an exhaustive picture of the situation in all countries would be of the utmost value.

64. As the High Commissioner pointed out in her report (E/CN.4/1999/12), racism was not an inborn defect but a product of the social environment, and prevention was therefore of crucial importance. The World Conference against Racism should arrive at conclusions and recommendations that would help to improve the coordination of international action in that field. In the meantime, it was essential to intensify preparations for the Conference by holding regional meetings of experts and by associating specialized agencies

of the United Nations and NGOs with the preparatory activities. Care should be taken, however, to ensure rational use of United Nations resources while, at the same time, seeking other sources of funding.

65. The Russian Federation, with its immense territory and large population, was no freer than other countries from ignoble practices of segregation on grounds of race, ethnic origin or nationality. The economic crisis had merely accentuated those phenomena and had led to a recrudescence of manifestations of extremist nationalism. Russian society severely condemned such behaviour, in particular through the press. But condemnation was not enough. For that reason, the President of the Federation and the Government had, in the autumn of 1998, firmly and unanimously opposed the anti-Semitic declarations of some deputies to the State Duma. Furthermore, the Government had submitted to Parliament two draft Acts, one on combating political extremism and the other on the prohibition of fascist emblems and literature. A third draft Act aimed at prohibiting fascist propaganda in the Russian Federation was in preparation. However, measures taken at the national level remained inadequate to stem the multiple forms which racism and racial discrimination were assuming today. It was to be hoped that the World Conference against Racism would help to find new ways of joining forces to combat that scourge. Everything should be done forthwith to ensure that the Conference produced concrete results so that it could be said by future generations that the end of the twentieth century had also represented the end of racism, racial discrimination and xenophobia.

66. Mr. DISHAND (Sudan) said that there were international instruments which called upon the international community to undertake practical measures to combat all forms of racism, racial discrimination and xenophobia.

67. In the Sudan, the 1998 Constitution recognized the country's multiracial, multi-cultural and multi-religious character and guaranteed the right of every community or group of citizens to preserve its particular culture, language and religion. The Khartoum Peace Agreement of April 1997, signed by the Government and seven factions from southern Sudan, recognized the right of the people of that region to exercise self-determination through an internationally supervised referendum. That agreement, as well as the subsequent peace agreement concerning the Nuba Mountains, clearly established the multiracial, multi-ethnic and multi-religious character of Sudanese society, where rights and duties were based upon citizenship. In that context, it was to be recalled that an expert from the Committee on the Elimination of Racial Discrimination had found the Sudanese Constitution and the two peace agreements to be consistent with article 1, paragraph 4 and article 2, paragraph 2 of the International Convention on the Elimination of All Forms of Racial Discrimination, which provided that States parties were entitled to take measures to secure the advancement or protection of certain racial or ethnic groups. With regard to xenophobia, the Sudan continued to provide a safe haven to refugees and migrants from neighbouring countries, who enjoyed equal access to public services with Sudanese citizens.

68. The two previous World Conferences to combat racism had rightly affirmed that foreign domination and occupation, economic and political oppression, social injustice and cultural contempt were the root causes of discrimination

and tension. His delegation fully supported the efforts being exerted in connection with the convening of the forthcoming World Conference and called for every effort to be made to ensure its success.

69. Ms. BAUTISTA (Philippines) said that 50 years after the adoption of the Universal Declaration of Human Rights, the evils of racism and xenophobia had not disappeared and were assuming new forms, as evidenced by the existence of 400 Internet sites promoting them. The point at issue was not to place undue restrictions on the freedom of expression but, rather, fully to implement article 20, paragraph 2 of the International Covenant on Civil and Political Rights, which provided that "any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law". In that connection, States would be well advised to re-examine some aspects of their human rights education policies so as to ensure that citizens in general, and children in particular, were aware not only of their rights and freedoms but also of their duties and responsibilities towards other people, their families and communities, the State and the international community.

70. Her Government called on countries which had not yet done so to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families with a view to achieving its early entry into force. It also supported the proposed Protocol on the Trafficking of Migrants supplementary to the proposed Convention against Transnational Organized Crime. It further supported the establishment by the Commission on Human Rights of a mandate for a special rapporteur on the rights of migrant workers.

71. With respect to indigenous peoples, Philippine law recognized their right to ancestral lands, to self-governance and empowerment and to respect for the integrity of their values, practices and institutions.

72. Lastly, her delegation invited all States to work towards the early conclusion of the proposed Protocol on Trafficking in Women and Children supplementary to the Convention against Transnational Organized Crime. It hoped that the World Conference against Racism would not only arrive at solutions to the problem in general but would also help to meet the specific needs of highly vulnerable groups.

73. Mr. ROSENBERG (Ecuador) said that not only had racist and xenophobic ideas not disappeared, they were still being disseminated by means of modern techniques which were themselves a symbol of the progress of civilization. Ecuador had always taken part, in particular in the United Nations, in the fight against racism and racial discrimination, especially apartheid, the dismantling of which should encourage the continuation of the efforts to attain the objectives set in the Universal Declaration of Human Rights. Ecuador had endorsed the decision to organize the World Conference against Racism and firmly supported the working group which would be responsible for preparing it.

74. Ecuador's National Human Rights Plan envisaged involving its indigenous and Afro-Ecuadorian peoples in the formulation and implementation of measures to satisfy their needs. The State and civil society were thus working together to eliminate racial hatred and intolerance.

75. Attention must also be drawn to the importance of the role played by human rights education, particularly of young people, in the fight against intolerance and discrimination.

76. Mr. NDIAYE (Senegal) said that the World Conference against Racism should reactivate the fight against racial discrimination and xenophobia, a fight which must be an essential element of the efforts of the United Nations to attain the objectives set in its Charter. That was why Senegal had made a particular commitment to the preparations for the Conference. Much remained to be done to eliminate the scourge of racism, which was ever-present. However, it was worth recalling that the United Nations was no more than the sum of its Member States. Each State bore the primary responsibility for ensuring the observance and effective application of the international instruments which it had ratified and the laws which it had adopted. In fact, in many countries where the law prohibited discrimination, discriminatory practices nevertheless persisted in everyday life, in the workplace, in the schools and elsewhere. It was therefore necessary, through education and information, to put an end to irrational reflexes which were often due to ignorance, fear and prejudice.

77. The World Conference against Racism must not be regarded as an end in itself but as a potent means of strengthening the dialogue and cooperation among nations in a spirit of solidarity and of respect for cultural diversity.

78. Mr. NOTHE (Poland) said that the convening of the World Conference against Racism at the dawn of the twenty-first century would afford the international community an opportunity to launch extensive information and education campaigns in order to eliminate racist prejudices and make people understand that the diversity of cultures, nations and religions could be a source of mutual enrichment. In fact, however necessary they were, laws prohibiting racism and xenophobia could not of themselves change attitudes.

79. The States which had not yet done so should ratify the International Convention on the Elimination of All Forms of Racial Discrimination and make a declaration, in accordance with article 14 of that instrument, recognizing the competence of the Committee to receive and consider communications from individuals. Poland had made that declaration in 1998 and had complied with the recommendations made by the Committee following its consideration of Poland's latest periodic report.

80. Poland also intended to take an active part in the preparations for the World Conference and in the organization, under the auspices of the Council of Europe, of the European Conference against Racism. The World Conference and the preparatory work should provide an opportunity for generating a broad debate on the subject in the media and for strengthening the cooperation between NGOs and public bodies in the field of information, as well as for producing studies on racism, intolerance and xenophobia directed against potentially vulnerable groups.

81. Mr. AMAT (Cuba) said that the emergence of new and pernicious forms of racism, racial discrimination and xenophobia was particularly worrying in the developing countries where, taking advantage of the anxieties and the social crisis caused by the excessive liberalization of markets and economic globalization, neo-fascist and neo-Nazi parties were gaining ground and disseminating extremist and xenophobic ideas aimed not only against racial and ethnic minorities but also against migrant workers. Migrant workers were subjected not only to verbal and physical abuse by militants of the extreme right but also to institutionalized racism, especially on the part of increasingly repressive police forces. The Special Rapporteur's report on contemporary forms of racism (E/CN.4/1999/15) gave many examples of that situation. In the United States, for instance, 43 per cent of arrests, 54 per cent of convictions and 59 per cent of prison admissions concerned African Americans, who accounted for scarcely 13 per cent of the total population. In the Czech Republic, an unjust law denied the Roma or Gypsy population many fundamental rights, including the right to vote and the right to receive social benefits, as well as providing for their expulsion if they were found guilty of an offence.

82. With regard to the use of the Internet to disseminate racist ideas, it should be remembered that in its recommendation XV (42) the Committee on the Elimination of Racial Discrimination had stated the view that the prohibition of ideas based on racial superiority or racial hatred constituted a legitimate restriction of the freedom of opinion and expression and was perfectly compatible with article 19 of the Universal Declaration of Human Rights.

83. In view of the apathy and lack of interest of the main donors, the costs of implementing the Third Decade to Combat Racism and Racial Discrimination should be charged to the regular budget of the United Nations.

84. Lastly, Cuba recognized the importance of the African Group's contribution to the preparations for the World Conference against Racism and would do everything possible to make the Conference a success.

The meeting rose at 1 p.m.